

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers.

Investigation 02-06-003
(Filed June 6, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
AMENDING SCOPING MEMO TO REVISE SCHEDULE (3RD REVISION)**

This ruling revises the schedule for this proceeding consistent with the oral rulings made on November 6, 2002, following hearing on the motion of Cingular Wireless (Cingular) for modification of the procedural schedule.¹ After hearing argument from Cingular, the Commission's Consumer Protection & Safety Division (CPSD) and the Utility Consumers' Action Network (UCAN), I modified the schedule to extend the date for distribution of Cingular's prepared testimony, to allow additional time for the distribution of rebuttal testimony from CPSD and UCAN, and to defer evidentiary hearing from December 2002

¹ *Motion of Cingular Wireless for Modification of Procedural Schedule and Shortening Time for Response*, filed October 28, 2002.

until March 2003. The revised schedule, below, reflects the new dates for these events and reflects other, related schedule adjustments.

January 30, 2003	Respondent distributes prepared testimony
February 28, 2003	Staff and intervenors distribute prepared rebuttal testimony.
March 17, 2003, to be continued day to day through March 27, 2003, as necessary	Evidentiary Hearing, Commission Courtroom, 505 Van Ness Avenue, State Office Building, San Francisco, CA 94102.
Date to be set at Evidentiary Hearing	Concurrent initial briefs filed.
Approx. May 15, 2003 (date to be set at Evidentiary Hearing)	Concurrent reply briefs filed; case submitted.
Approx. July 15, 2003	Presiding Officer's Decision (POD) filed within 60 days of submission.
Approx. August 15, 2003	POD becomes decision of Commission (unless appeal filed under Pub. Util. Code § 1701.2(a))
Approx. August 25, 2003	Commission may act on Modified Presiding Officer's Decision (if appeal of POD filed)

As indicated above, the briefing schedule will be set at the evidentiary hearing. The anticipated submission date is tied to the date parties file concurrent reply briefs, as are all subsequent statutory dates. Thus, the actual date of submission and all subsequent dates may be either sooner or later than the illustrative dates, above.

IT IS RULED that:

1. The schedule for this proceeding is set forth herein.
2. The October 28, 2002, motion of Cingular Wireless for modification of the procedural schedule is granted to the extent consistent with the schedule set forth herein and is otherwise denied.

Dated November 12, 2002, at San Francisco, California.

/s/ JEAN VIETH
Jean Vieth
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Amending Scoping Memo to Revise Schedule (3rd Revision) on all parties of record in this proceeding or their attorneys of record.

Dated November 12, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.